

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3
4 UNITED STATES OF AMERICA,
5 Plaintiff,
6 v.
7 FRANCISCO REYES-TORRES,
8 Defendant.

Case No.: 2:22-cr-00199-JCM-NJK

ORDER
(Docket No. 18)

9 Pending before the Court is the United States' motion to unseal the instant case. Docket
10 No. 18. The United States submits that, when this case was pending on a complaint, it was not
11 sealed; however, when the information was filed, the case was sealed. *Id.* at 2-3.

12 The United States improperly uses the term "Magistrate Court" when discussing the period
13 of time that Defendant was charged on a complaint in this Court. Docket No. 21 at 2. In fact,
14 there is "no such thing" as Magistrate Court "in our current federal system. Magistrate Judges are
15 judges of the District Court." Hon. Lisa Margaret Smith, *Top 10 Things You Probably Never Knew*
16 *About Magistrate Judges*, FED. LAW., May-June 2014, at 36, 38.

17 The Court has previously warned the same Assistant United States Attorney who filed the
18 instant motion that the use of the term "Magistrate Court" is improper. *See United States v.*
19 *Carrillo-Perez*, 2:21-cr-00074-APG-NJK, Docket No. 21 at n. 1. *See also United States v. Arias-*
20 *Serafin*, 2:22-cr-00174-RFB-NJK, Docket No. 22 at n. 1. Additionally, the Court has warned this
21 AUSA that continued usage of this improper term may result in sanctions. *Id.*

22 Accordingly, the United States' motion to unseal is **DENIED** without prejudice for failing
23 to comply with the Court's order. Docket No. 22. Continued failure to comply with the Court's
24 order to discontinue usage of this improper term may result in significant sanctions in the future.

25 IT IS SO ORDERED.

26 DATED: October 25, 2022.

27 
28 NANCY J. KOPPE
UNITED STATES MAGISTRATE JUDGE